

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO.539 OF 2005

Smt.Manisha Rakesh Mehta Petitioner

versus

State of Maharashtra and others	Respondents
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Mr. Shekhar Shetty i/by H.R. Shetty & Co. for
petitioner.

Mr.Umesh Shetty for respondent no.4.

CORAM : H.L.GOKHALE AND
S.C.DHARMADHIKARI, JJ.

DATE : 05th April 2005

PC :

1. Heard Mr.Shetye in support of this petition. Mr.Shetty appears for respondent bank. Respondent bank has taken a Recovery Certificate against the husband of petitioner and it is sought to be executed against the property wherein name of husband of petitioner as well as petitioner is shown as joint owners. Petitioner sought to intervene to block the execution by pointing that she has contributed for the purchase of the property. Debts Recovery Tribunal as well as the Appellate Tribunal have

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noted that the petitioner intervener was not the exclusive owner of the disputed property. This being the position, the recovery order could certainly be executed against the property of the petitioner. No need to interfere. Petition dismissed.

(H.L.GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)